

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

3:17-CR-254-1 (GTS)

ALONZO LAMAR HARRIS,

Defendant

DEFENDANT HARRIS'S SENTENCING MEMORANDUM

I. Introduction

On October 4, 2018, Alonzo Harris was found guilty, after a jury trial, of both counts of a two count Indictment. Count One of the Indictment charged Mr. Harris with conspiring to knowingly and intentionally distribute, and possess with the intent to distribute, methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 846. Count Two of the Indictment charged Mr. Harris with conspiracy to commit promotional money laundering in violation of 21 U.S.C. § 846 and 18 U.S.C. § 1956(a)(1)(A)(i).

Sentencing is scheduled for April 23, 2019 at 10:00 a.m. in Syracuse, New York.

II. Background of Alonzo Harris

As the court is aware, Mr. Harris has refused to communicate with me in any meaningful way. Accordingly, I do not possess knowledge of Mr. Harris's background beyond the information contained in the Presentence Investigation Report.

Alonzo Harris is 43 years old. Mr. Harris claims to be married. Mr. Harris's father resides in Arizona; his mother is deceased. Upon information and belief, Mr. Harris has no children.

III. Sentencing Recommendation

A. Sentencing Guidelines Issues

1. Guidelines Calculation

The guideline calculation is: Total Offense Level 43, Criminal History Category III. The guidelines sentencing range of imprisonment is life.

B. Recommended Non-Guidelines Sentence

Counsel is requesting that the court impose a term of imprisonment below the sentencing guidelines range.¹ Because Mr. Harris has not authorized me to request a particular sentence, I am respectfully requesting that the court determine and impose a fair and just non-guidelines sentence.

1. Section 3553 (a) Factors

An analysis of all the factors the court must consider suggests that a non-guidelines sentence would satisfy all the factors under §3553(a) as well as the sentencing guidelines.

a. (a)(1) - Nature and Circumstances of the Offense and History of the Defendant

i. Compliance with Pretrial Release Conditions

Mr. Harris has been detained since his arrest.

ii. Drug Rehabilitation

¹Counsel's request is based upon his own belief that a life sentence, for narcotics trafficking, is *per se* excessive in all but the rarest of circumstances.

Based upon information contained in the Presentence Interview Report, it does not appear that Mr. Harris suffers from substance abuse issues.

iii. Hardship to Family

Based upon information contained in the Presentence Interview Report, it does not appear that a term of imprisonment would result in any hardship to Mr Harris's family.

b. (a) (2) (A) - The Seriousness of the Offense, Respect for the Law and Just Punishment

Although the conduct for which Mr. Harris stands convicted is very serious, counsel is not aware of any information suggesting that Mr. Harris committed any violent acts during the course of the conspiracy.

c. (a) (2) (B) - General Deterrence

A felony conviction and a non-guidelines sentence, as requested herein, are likely to be adequate punishment to promote deterrence of future criminal conduct for the type of offense charged herein and would put the public on notice that narcotics trafficking carries very harsh penalties.

d. (a) (2) (C) - Protection of the Public

A felony conviction and non-guidelines sentence would, it is respectfully submitted, be adequate to protect the public from further criminal conduct.

e. (a) (2) (D) - Need for Education, Training, Medical Care, et al.

Upon information and belief, Mr. Harris dropped out of high school after completing ninth grade. It would therefore appear that he could benefit from educational and vocational training provided by the Bureau of Prisons. Counsel has no knowledge of Mr. Harris's need for medical care.

f. (a) (3) - Kinds of Sentences Available

Because Count One is a Class A felony, Mr. Harris must be sentenced to a term of imprisonment.

g. (a) (4) and (a) (5) - Advisory Guideline Range

See *supra* at s. III, A, 1.

h. (a) (6) - Sentencing Disparity

This is not a factor in this case.

i. (a) (7) - Restitution

Restitution is not an issue in this case.

C. Fine

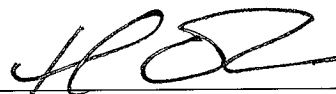
Based upon information contained in the Presentence Interview Report, it does not appear that Mr. Harris has the ability to pay a fine.

V. Conclusion

For the foregoing reasons, counsel believes that a fair and just nonguidelines sentence is “sufficient, but not greater than necessary” to fulfill all the statutory requirements of sentencing outlined in § 3553 (a).

Dated: April 2, 2019

Respectfully submitted,



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